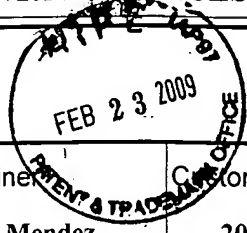


**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.
A-8730

In Re Application Of: Nyle ELLIOTT et al



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/720,213	November 25, 2003	Manuel A. Mendez	20741	3763	4978

Invention: SINGLE USE CATHETER

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated December 26, 2008 finally rejecting Claim(s) 1-4, 7 and 8

Applicant is a small entity under 37 CFR 1.9 and 1.27.

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: \$270.00

☒ A check in the amount of the fee is enclosed.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-2455

☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

Dated: 2/23/2009

Stewart L. Gitler - Reg. 31,256
Hoffman, Wasson & Gitler, P.C.
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02/24/2009 JADD01 00000025 10720213
01 FC:2401 270.00 OP

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

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CC: